

REMARKS

Claims 1-3 are pending in this application.

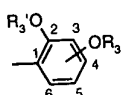
Claims 4-17 are cancelled.

Claims 1-3 are rejected under 103(a) as being unpatentable over US 4,670,373.

35 USC 103(a) Rejections Maintained

Claim 1 has been amended to focus the subject matter of the claims, will simplify examination, and better place the claims in condition for allowance.

Thus, to further distinguish the compounds according to the invention from the compounds as specifically disclosed in the cited prior art, US 4,670,373, claim 1 is amended to exclude all

compounds with a group  and R₁ as benzoyl.

See newly added proviso (viiia) in claim 1. This amendment renders part of the proviso (vii) moot and is deleted. No new matter has been added.

All but one compounds according to US 4,670,373 with at least two OR groups have either a benzoyl group or a naphthoyl group in the acid part.

Compounds 1-23 and 25-59 of US '373 show R₁ equal to naphthoyl or benzoyl. Compound 26 shows R₁ equal to acetyl. Compound 26 is not encompassed by our claims as it has no substitution of the phenyl.

As amended, the compounds according to the claims with at least two substituent OR groups at the phenyl ring do not comprise a benzoyl acid part.

Accordingly, the structural difference in view of the prior art now clearly distinguished from US 4,670,373. Thus the Applicants submit that the rejection of claims 1-3 under 35 U.S.C. § 103(a) is overcome and respectfully request reconsideration and withdrawal of the rejection.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-3 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tyler Stevenson', with a long horizontal flourish extending to the right.

Tyler Stevenson
Agent for Applicants
Reg. No. 46,388

Ciba Specialty Chemicals Corporation
540 White Plains Road
Tarrytown, New York 10591
(914) 785-2784
SALV22140.doc